

12-17-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DATE OF DEPOSIT December 10, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AN ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME DARRYL KRINER

SIGNED 

10826 U.S. PRO

10/016416

12/10/01

Docket No. A-67032-2/RFT/RMS/RMK

Anticipated Classification of this Application:

Class: Subclass:

Prior Application SN 09/428,155

Examiner: F. LU

Art Unit: 1655

**Box PATENT APPLICATION FEE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sr:

This is a request for filing a

- ☐ Original  
☒ Continuation  
☐ Divisional  
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Cynthia C. BAMDAD and Robert C. MUCIC (Names of ALL Applicants), for DETECTION OF TARGET ANALYTES USING PARTICLES AND ELECTRODES (Title of Invention). This X continuation ☐ divisional ☐ continuation-in-part claims priority to pending application Serial No. 09/428,155, filed on October 27, 1999 which is a continuation-in-part to application Serial No. 60/105,875 filed on October 27, 1998.

1. (a) ☐ Enclosed is a new application.  
(b) ☐ Enclosed is a continuation-in-part application.  
(c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.  
(b) ☒ Enclosed is a copy of the prior executed Declaration as originally filed.  
(c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

(d) X Enclosed is a copy of a Decision According Status Under 37 CFR 1.47 (a) granting Applicant's petition under 37 CFR 1.47 (a). Copies of the 37 CFR 1.47 (a) are available upon request.

3.      Applicant claims small entity status. See 37 CFR 1.27.

4.      The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE	FEE	OTHER THAN A SMALL ENTITY OR RATE	FEE
FOR:						
BASIC FEE				\$370	OR	\$740
TOTAL CLAIMS	<u>20</u> -20 = *	<u>    </u>	x 9 =	\$ <u>    </u>	OR	x 18 = \$ <u>    </u>
INDEP CLAIMS	<u>3</u> -3 = *	<u>    </u>	x 42 =	\$ <u>    </u>	OR	x 84 = \$ <u>    </u>
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =	\$ <u>    </u>	OR	+280 \$280

If the difference in Col. 1 is less TOTAL \$      OR TOTAL \$       
than zero, enter "0" in Col. 2.

  x   The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-67032-2 RFT/RMS/RMK.)

6.   x   Our check in the amount of \$1020.00 is enclosed.

7.   x   Cancel in this application original claims 2-6 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8.   x   Amend the specification by inserting before the first line the sentence:

--This is a continuation of application Serial No. 09/428,155 filed October 27, 1999. --

9. (a)   x   Informal drawings are enclosed, 10 sheets.

(b)      Formal drawings are enclosed,      sheets.

10. (a)   x   Priority of application Serial No. 09/428,155 filed on October 27, 1999 in the United States of America under 35 U.S.C. 119/120.

(b) \_\_\_\_\_ The certified copy has been filed in prior application  
Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

11. \_\_\_\_\_ An Assignment is enclosed.

12.   x   The prior application is assigned of record to   Clinical  
Micro Sensors, Inc.

13. \_\_\_\_\_ A Power of Attorney by Assignee is enclosed.

14.   x   The power of attorney in the prior application is to:  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187

(a)   x   The power appears in the original papers in the prior application.

(b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c)   x   Address all future communications to:

Robin M. Silva

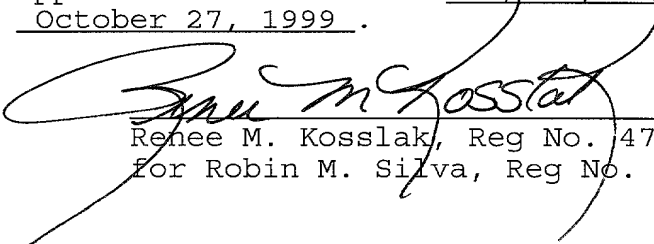
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

15.   x   A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

16. \_\_\_\_\_ A Prior Art Statement is enclosed.

17. x I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/428,155 as originally filed on October 27, 1999.

Date: December 10, 2001

  
\_\_\_\_\_  
Renee M. Kosslak, Reg No. 47,717  
for Robin M. Silva, Reg No. 38,304

Flehr Hohbach Test Albritton & Herbert LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, California 94111

FILED